President: The elections to the Committees will take place immediately after the business is over and Mr. M. Govindan will preside.

REFERENCE TO THE LEGAL REMEMBRANCER'S SERVICES.

Mr. Kochickal P. Balakrishnan Tampi (*Karunagapalli, Kartikappalli and Ambalapuzha* cum *Shertallai*): Sir, I wish to speak a word about the services rendered by the Legal Remembrancer. This is the fourth Budget Session and perhaps this is the last. I am not concerned with the extension of its life. The Government and the House may be faced with the Shakesperean saying "to be or not to be," to continue with the criticism that it is not sufficiently representative of public opinion, or not to continue. That means coming again into the conflict and unrest of an election when consolidated effort is necessary towards the successful prosecution of the war and also for our financial adjustments conditioned upon the war abroad. This House is very grateful, for the great and laudable work done by the Legal Remembrancer these four years. He was a gentleman who was alert in the opposition, troublesome in his own way in his days. But he has shown himself a successful member on the treasury bench with the necessary courtesy, equipoise and restraint restraining oneself from making any retorts which he is often apt to make. We all feel—members of different parties and different political biases—we are all one in feeling that the Legal Remembrancer has done his work well and efficiently. When the mantle fell on him of the distinguished gentleman who was doing this work before him, we were afraid that the member in the opposition could not do any good there. But our experience has shown that he has only gained in experience and that he is all the better for his previous parliamentary training. We are quite conscious that he has left a lucrative practice at the Bar. He has left the pleading for application of law for the more responsible work of making the law. During these four years an abnormally large number of new laws have been passed. Many new ones have been re-enacted and many British Indian Laws have been adopted subject to local conditions, *mutatis mutandis* and also original bills have been passed by this House. Therefore we are one in expressing our appreciation for the work of the Legal Remembrancer.

In this connection—I know I will not get much encouragement from the Chair—I wish to express our tribute to the Chair also for keeping up the dignity and impartiality of the Chair. Due regard being had to the nerves of a human being, certainly the Chair is no bed of roses this simple process of repetition is enough to tax one's patience. Even some of us who read newspaper extracts of the proceedings in the other House find it very difficult to suppress a

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[Mr. Kochikal P. Balakrishnan Tampi.]

yawn when proceedings commence here. It is inevitable under the circumstances and under the present constitution. Yes, Sir, your patience and your willingness to hear each and every one have drawn our admiration. There is absolutely no difficulty in catching the Speaker's eye. Even some of us who are not particularly mindful of the length of our speeches, you have been tolerating giving each man an opportunity to express his views on the floor of the House. Therefore we are very grateful to you.

I should not omit to pay our tributes to the Secretary who is soon leaving us. He has had a very brilliant career. He was a Professor both in the Arts and in the Law Colleges. You may remember, Sir, in your early days when you were a member of the Madras Legislative Council where an ex-Dewan of our State, Sir. P. Rajagopalachari was the President, there was Dewan Bahadur Swamikannu Pillai who was the Secretary with whom there is a stricking resemblance. He is also a distinguished man with high academic distinctions and versatile ability. The wish of the House is that the Secretary may go out now and come back soon as a member of the treasury bench and as a member in charge of an important department of the State. I also wish to express our appreciation for the courtesy and willingness evinced by the office staff.

Mr. Puthupalli S. Krishna Pillai : Permit me, Sir, to avail myself of this opportunity for expressing my feeling of gratitude to the members of this House and to the members of the other House who have spoken in laudatory terms about the work that I have been able to turn out during the last three and a half years. Permit me also to convey to you, Sir, my deep felt gratitude for the very kind and appreciative terms in which you have referred elsewhere to my work in the field of legislation. I have to add that the praise that you chose to confer on me has been unstinted and unreserved and from the point of view of an officer of Government it is a praise which any officer may be proud of. I have at the same time to be true to myself. However unpleasant it may be to you, I have to state that a good portion of the credit is due to you. A greater portion is due to the honourable members of both Houses. If an appropriation on these lines is made, there will be very little left for me to share. I shall not however be sorry. I have found that this and the other House have always been willing and ready to co-operate with Government in all the legislative measures placed before them. But for the co-operation, goodwill and high sense of responsibility evinced by the honourable members of both the Houses the turn-over would have been poor. In the matter of legislation sponsored by Government the honourable members of

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this House would note that the power of initiative is vested not in them entirely nor in the Legal Remembrancer but in the Dewan. To you, Sir, must the tribute be paid for whatever achievements we have so far made. As a humble servant of Government I have but obeyed your orders and dutifully carried out your instructions. But in doing so, you have very much lightened my work and my responsibilities. It is not easy, Sir, to undertake a legislation through the Legislature. The member in charge is liable to be criticised ;, his production is liable to be scrutinised ; and if any false step is taken, he is liable to be severely dealt with. I know the dangers. But I have always been sure that there is in you a helping hand behind me. You have always been willing and ready to render any help required. But for the kindly help given by you, Sir, I am quite sure that I would not have been able to shoulder the responsibility for the many complicated and difficult pieces of legislation brought before both the Houses. You have always a ready solution to offer whenever I come to you for help. You are reputedly the greatest lawyer in modern India. If I have done anything which could be spoken in terms of praise it is due to you and only to you. You have with your indomitable energy, initiative and driving force enabled and enboldened me to place before the Houses what under normal circumstances it would not have been possible for any person to do. You do not wait for the Secretariat file to go to you for issuing orders for drafting a Bill. You do not countenance delay, particularly in official work. Some of your orders are written, but to me they were mostly oral and to that extent more sacred and more forcible. It is easy to commit mistakes especially when so much of important work is dealt with. As the head of the administration you are always ready to forgive an honest mistake committed by your officers, and you have always condoned, and cheerfully condoned, whatever mistakes I have committed. Apart from the honourable members of both the Houses, if any credit is due, it is to you, and I ungrudgingly give it to you. I once again thank the honourable members of the House and you, Sir, as President of this House.

President: I am very glad indeed that this opportunity has been taken by the members of this House of the Legislature to pay a tribute to the assiduity, the legal acumen and diligence of the Legal Remembrancer. He has like a skilful tennis player tried a game of volley and he has transferred the ball which emanated from the non-official Benches to me. Notwithstanding the embarrassment I shall proceed to discharge the task that has devolved upon me.

Five or six years ago, it occurred to me that many of the Statutes in Travancore were out-of-date and that amendments had been made from time to time which precluded, what may be called a bird's

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[President.]

eye-view of the legislation as a whole. Moreover, a great deal has been happening in the matter of the re-drafting and the re-issuing of enactments in British India during the last ten years. My good friends, Sir B. L. Mitter and Sir N. N. Sarkar, whose contributions to the Indian Statute Book can never be forgotten, have been doing great work in the Government of India. It was found that the Statute Book of Travancore needed re-furnishing, revision and renovation. And it is to me a matter of intense gratification that when I called up my friend Mr. Puthupalli Krishna Pillai, after his appointment, and told him that the first thing that had to be done was to make the commercial law of this country up-to-date and workable, and that without such a codification of the commercial laws business will not be properly conducted, he readily and enthusiastically agreed. The bills regarding commercial law are technical, require a great deal of research and study and and require also—as the drafting of all bills require—qualities not ordinarily found in a practising lawyer who has to deal with quite a separate set of circumstances in handling the details of a case and answering questions from the Bench. What is needed is patient, meticuluous care with special reference to the value of each word and a knowledge of the statute law elsewhere. I was very pleased indeed with the result of what may be called the re-making of the commercial law of Travancore. At the present moment it may be said that, with one exception, Travancore is up-to-date in this reapect.

Then came the question of these great enactments, the Penal Code, the Evidence Act the Criminal Procedure Code, the Civil Procedure Code and enactments of that type that form the basis of the transactions of the country and of the litigation in respect of them. Not content with driving Mr. Puthupalli Krishna Pillai to effect the enactment of commercial law, I called upon him to undertake this work. Equally ungrudgingly and cheerfully he set about the business. As pointed out by him somewhat humourously, and, may I add, somewhat plaintively I have been rather hard on him. I made a very large draft on his time and energy. Those drafts as might be expected from a good commercial lawyer have been duly honoured. The result is that to-day it might be said that the courts, lawyers, litigants and the general public of Travancore have a good and up-to-date system of law. With such a back-ground, the Judiciary is amply equipped to deal with their every day work. Every word of what has fallen from the honourable member as to the work done by Mr. Puthupalli Krishna Pillai is justified and deserved. Not equally deserving are the remarks which, out of natural modesty and innate courtesy, have fallen from the Legal Remembrancer regarding me. I think with the exception of a few sections, in which I have interfered with the task of the

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Legal Remembrancer, I have generally accepted his drafts. I have not done so light-heartedly and I think for the sake of assuring the honourable member, I must say that this legislation was not pushed through in a hurry. I have never accepted the bills sent up by the Legal Remembrancer without going through every section of them. A fairly long career as a lawyer and Advocate-General and a law-maker, has given me a certain amount of facility, but that faculty has not been exercised as fully as it might otherwise have been, because I had reasons to place full confidence in the talents and energy of the Legal Remembrancer. I have great pleasure in associating myself with the remarks that have fallen from the honourable member in praise of the Legal Remembrancer.

I am also glad that in this House as elsewhere, tributes have been paid to the assiduity, carefulness, the workmanlike and courteous conduct of the Secretary, who is leaving us.

May I take this opportunity also to refer to another matter, namely, that we shall shortly lose the official leader of this House. I am referring to my friend, Mr. Nilakanta Aiyar. He is the head of the treasury bench in this House, and, after a long, a very meritorious and a most conscientious exercise of the duties entrusted to him, he will shortly go into retirement. I feel sure that the retirement will not be co-terminous or synonymous with inactivity. He is too active a person to sit still. I hope he will take a hand—by training and by nature, he is fitted to do so—in the projects so dear to all of us, for the agricultural improvement and industrialisation of this country. Never the less as a member of this Legislature for the time being, unless he comes back as an elected member, we shall lose him. I do not propose to say much on this occasion. I shall have other occasions to express my feelings. But it would be an elementary duty on our part to place on record and, I am sure that in what I shall say, I shall have the unanimous support of this House, that we have all benefited greatly from the accumulated weight of his experience, from his great and conspicuous loyalty to His Highness and to the interests of the State and from his diligence, accuracy and the capacity to say yes or to say no on the right occasions which is very rare indeed. He is the Leader of the House and I think it is but our duty to wish him well in what I hope will be an active retirement. (Applause.)

Is it generally agreed to?

The House agreed with the sentiments expressed by the Dewan-President.

The House will now adjourn and meet again to-morrow at 11.

The House adjourned at 11·40 A. M.

V. S. ARMUKHOM PILLAI,
Secretary to the Sri Chitra State Council.

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